

Art Unit: 3749

ED,
PLEASE W/D ABANDONMENT SO THAT THIS
HOW FINAL REJECTION CAN BE SENT OUT. Election/Restrictions H

8. Claims 7-9 are withdrawn from further consideration pursuant to 37 CFR 1.142(b)

as being drawn to a nonelected species, there being no allowable generic or linking claim.

Response to Arguments

7. Applicant's arguments, see page 2, filed October 28, 2004, with respect to the rejection(s) of claim(s) 1-6 under 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Young and Carew.

Conclusion

8. A proper response to this Office action should include:

Instruction to cancel or amend the rejected claims or to substitute, or add claims to be considered by this Office.

An argument under the heading "Remark" in which applicant points out wherein he may disagree with the Examiner's contentions and wherein he also discusses the references applied against his claims, explaining how his claims would avoid these references or distinguish from them in a patentable sense.

9. It is called to applicant's attention that if a communication is deposited with the U. S. Postal Service and mailed to the Office by First Class Mail before the reply time has expired, applicant may submit the reply with a "Certificate of Mailing" which merely asserts that the reply is being mailed on a given date. So mailed, before the period for reply has expired, the reply may be considered timely. A suggested format for a certificate follows:

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: